

REMARKS

Applicants have amended independent claims 1 and 14 to remove any uncertainty that might exist in the Examiner's mind that the language of claims 1 and 14 as previously amended required the fluid flow not only to follow a helical flow of fluid but also to be in contact with the object to be chilled. These amendments do not raise new issues above the claims as previously presented, so entry of these amendments is respectfully requested. Applicants respectfully note that if the Examiner gives the claims as they stand prior to their amendment above the interpretation they should have received, the unamended claims are patentable over the prior art.

Claims 1-6, 10, 11 and 14-21 again stand rejected as anticipated by Galockin, while claims 7-9 and 12 stand rejected as obvious over Galockin alone. These rejections are respectfully traversed.

The Examiner argues on pages 3-4 of the Action that Galockin discloses tank or canister 42 as the object to be chilled by means of fluid flow through pipes 48 and that the claims do not require the chilling fluid itself to be in contact with the object to be chilled. This interpretation fails to give the claims their broadest *reasonable* interpretation, both before and after the amendments above.

Claim 1 prior to the amendment above recited "a structure for causing the fluid flow to follow a helical path in contact with the object to be chilled about the longitudinal axis within the chamber between the inlet and the outlet." The only plain interpretation of that language, and the interpretation applicants clearly intended, is that the helical path the fluid follows is in contact with the object to be chilled. That is, the structure set forth in this limitation of claim 1 causes the flow of the fluid – not the structure in which the fluid flows – to be in contact with the object to be chilled. The Examiner's interpretation essentially reads out the requirement that the fluid flow be in contact with the object being chilled by holding that a fluid flow within an object (the pipe 48) that is contact with the object being chilled (tank or canister 42) is thereby in contact

with the object being chilled. The Examiner is putting an interpretation on the words "in contact" that does not comport with the ordinary use of words in the English language.

The fluid in Galockin's apparatus that performs the cooling flows through the pipes 48 and not in a helical path within a chamber that receives the object to be chilled. Furthermore, the fluid in Galockin's pipes 48 does not come into contact with the tank or canister 42 at all, being confined within pipe 48.

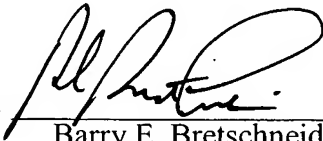
Thus, since Galockin's cooling fluid is never in contact with the object to be chilled, Galockin neither identically discloses nor suggests the invention as claimed.

Early action allowing claims 1-12 and 14-21 is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 424662008900.

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